

20110316174806001

विकास नियंत्रण नियमावली विटा, जि.सांगली
महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६ चे
कलम-३१(१) अन्वये विकास नियंत्रण नियमावली -
विटा मंजूरीबाबत

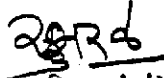
महाराष्ट्र शासन
नगर विकास विभाग,
मंत्रालय, मुंबई - ४०० ०३२

शासन निर्णय क्रमांक-टिपीएस-२००९/३४५२/प्र.क्र.२०१०/२०१०/नवि-१३

दिनांक :- २३.२.२०११

शासन निर्णय :- सोबतची शासकीय अधिसूचना महाराष्ट्र शासन राजपत्रा मध्ये प्रसिद्ध करावी.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नावाने,


(सुनिल मंरंके)

अवर सचिव, महाराष्ट्र शासन.

प्रति,

विभागीय आयुक्त, पुणे विभाग, पुणे.
संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
उपसंचालक नगर रचना, पुणे विभाग, पुणे.
सहाय्यक संचालक नगर रचना, सांगली शाखा, सांगली.
मुख्याधिकारी, विटा नगरपरिषद, विटा, जि.सांगली.
व्यवस्थापक, येरवडा कारागृह मुद्रणालय, पुणे.

(त्यांना विनंती करण्यात येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाच्या राजपत्राच्या भाग-१, पुणे विभागीय, पुणे पुरवणीमध्ये प्रसिद्ध करून त्याच्या प्रत्येकी १० प्रती या विभागास, संचालक नगर रचना, महाराष्ट्र राज्य, पुणे. उपसंचालक नगर रचना, पुणे विभाग, पुणे, सहाय्यक संचालक नगर रचना, सांगली शाखा, सांगली, मुख्याधिकारी, विटा नगरपरिषद, विटा, जि.सांगली, यांना पाठवाव्यात)

कक्ष अधिकारी (नवि-२९), नगर विकास विभाग, मंत्रालय, मुंबई.

त्यांना विनंती करण्यात येते की, सदर अधिसूचना शासनाच्या वेबसाईटवर प्रसिद्ध करावी.
निवडनरती (नवि-१३).

NOTIFICATION

**Government of Maharashtra
Urban Development Department,
Mantralaya, Mumbai 400 032.**

Date - 23.2.2011

No.TPS-2009/3452/C.R.2090/2010/UD-13

Maharashtra
Regional &
Town Planning
Act 1966.

Whereas, the Vita (District Sangli) Municipal Council (hereinafter referred to as "the said Municipal Council") being the Planning Authority (hereinafter referred to as "the said Planning Authority") for the area under its jurisdiction, by its Resolution No.52, dated 21.09.2002 made a declaration under Section 38 read with Section 23 (1) of Maharashtra Regional & Town Planning Act, 1966 (hereinafter referred to as "the said Act") of its intention to revise the Development Plan for the Original area within its jurisdiction and notice of such declaration was published at Page No.2439 of the Maharashtra Government Gazette, Pune Supplement dated 21.11.2002;

And whereas, the said Municipal Council after carrying out the survey of the entire area within its jurisdiction, prepared the Draft Development Plan along with Development Control Rules of Vita (hereinafter referred to as "the said Development Plan") & published the said Development Plan under Section 26 of the said Act vide Resolution No.98, dated 25.3 2006 and published a Notice to that effect for inviting suggestions/objections from public in Maharashtra Government Gazette, Pune Division dated 30.3.2006 on Page No.581;

And whereas, after considering the suggestions and objections received from the public to the proposals of the said Development Plan, the said Planning Authority has submitted the said Development Plan along with Development Control Rules under sub-Section (1) of Section 30 of the said Act on 24.3.2009 to Government of Maharashtra for sanction;

And whereas, in accordance with sub-Section (1) of Section 31 of the said Act, the Government of Maharashtra after consulting the Director of Town Planning, Maharashtra State, Pune has sanctioned the said Development Plan excluding the part marked as EP-1 to EP-45 on the said Development Plan (hereinafter referred to as "the said Excluded Part") vide notification no.TPS-2009/1138/CR-1964/09/UD-13, Dt-31.8.2009;

And whereas, the said development plan contains the Draft Development Control Regulations for the area under jurisdiction of Municipal Council, Vita;

And whereas, the Government of Maharashtra after making necessary inquiries and after consulting the Director of Town Planning, Maharashtra State, Pune has proposed to accord sanction to the Development Control Rules submitted by the Planning Authority;

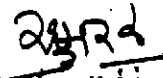
Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 31 of the said Act and all the other powers enabling it in that behalf, the Government of Maharashtra hereby,

(A) Accord sanctions the said Development Control Rules of Vita Municipal Council with changes as specified in the Schedule of Modifications i.e. Schedule I appended hereto and;

(b) Fixes the date. 1.4.2011 to be the date on which final Development Control Rules of Vita shall come into effect.

(B) This notification is also available on Govt. web site www.urban.maharashtra.Gov.in

By order and in the name of the Governor of Maharashtra,


(Sunil Marale)

Under Secretary to Government.

SCHEDULE OF MODIFICATIONS -A

SCHEDULE

S NO	Modifications in Building control regulations sanctioned by Govt u/s 31 of the MRTTP ACT
1	New definition no.2.39 is added after the existing definition no 2.38 as follows- 2.39--Mezzanine Floor: An Intermediate floor between two floor levels above ground floor. The regulations are applied as specified in rule 22.5
2	In existing rule no.17.1.1, last sentence is added as follows -- Irrespective of building line as mentioned in rule 17.1(ii)
3	In the existing rule 19.2 (Open Space) following sentences are added in appropriate locations- After the word "In any layout or subdivision of land" add "or development permission on land" After the word "for residential purpose" add "residential and commercial purpose" In the last of existing rule, following sentence is added "In case of group housing scheme, physical open space as specified above shall be left even though net plot area may be calculated as prescribed hereinafter"
4	New rule no 19.5 is added after the existing rule no 19.4.2.3 as follows
	Rule 19.5-- The length of the main means of access shall be determined by the distance from the farthest plot (building) to the public street. The length of the subsidiary access way shall be measured from the point of its origin to the next widest road on which it meets.
5	1) Existing rule no 20.3.1 "Residential building" should be replaced as "Residential building & building in mixed zone" 2)Last column no(iv) in Table-1A regarding building line is deleted
6	Existing rule no 20.3.2 Note no-1 mentioned below the existing rule no 20.3.2 is deleted
7	After the proposed rule no 20.3.3(a) of Public and Semi-public Buildings, following new rule no 20.3.3(h) is newly added 1) New rule-20.3.3(b)- The maximum permissible FSI for Public and Semi-public Buildings shall be 1.00. 2) In Table 20.3.3 of Public and Semi-public Buildings the maximum storey and building heights for educational building should be 3(12) instead of 2(8)
8	After the rule no 20.3.4 following new rule no 20.3.5 is newly added New rule 20.3.5 - The industrial zone, actual factory or workshop building & storage or godown shall not be constructed within a distance of 23 m from the boundary of such zone where it separates an industrial zone from any other use, except a large open space; provided that such distance shall be measured from the opposite edge of the road where the

9	<p>zone abuts on existing or proposed road. Provided further that ancillary building such as essential staff quarters, canteen, garages, electric stations, water tanks etc. may be permitted in such distance of 2.3m.</p> <p>After the rule no 21.10 (Parking) following new rule no 21.11 is newly added regarding stilt parking</p> <p>New rule 21.11- Parking spaces at stilt floor :-</p> <p>I) <u>Parking spaces at stilt floor for congested & similar congested area as specified in the Development Plan:-</u></p> <ol style="list-style-type: none"> The height of stilt shall not more than 2.40m measured from the average ground level. up to the lowest point of ceiling (i.e. bottom of beam). Where on ground floor, stilt is proposed to be constructed on part portion. then the stilt height may be allowed as that of floor height. Where building with stilt to be constructed built up area shall not exceed the 60 % of plot area & above this stilt construction the building with ground floor & one storey is to be constructed for which the built up area shall not be more than 60 % each. Stilt floor should be used only for parking. It cannot be used for any other purpose. Stilt constructed as per above condition shall not be included in covered area calculations or built up area calculations. <p>II) <u>Parking spaces at stilt floor outside congested area :-</u></p> <ol style="list-style-type: none"> The height of stilt shall not be more than 2.40m measured from the average ground level, up to the lowest point of ceiling (i.e. bottom of beam). Where on ground floor, stilt is proposed to be constructed on part portion, then the stilt height may be allowed as that of floor height. Area of stilt shall not exceed the maximum permissible built up area at ground floor. Height of building with a stilt shall not exceed the maximum permissible heights as given in regulation No.20.6. Stilt floor should be used only for parking. It cannot be used for any other purpose. Stilt constructed as per above condition shall not be included in covered area calculations or built up area calculations.
10	<p>After the proposed rule no 22.12 following new rule no 22.12.3 is newly added regarding educational building</p> <p>New rule 22.12.3 --For educational buildings 40 % land should be kept for play ground at one place. But the FSI of entire net plot area shall be permissible.</p>
11	<p>The proposed rule no 22.16 is newly substituted as follows -</p> <p>New rule 22.16-special requirement for library buildings</p> <p>F.S.I. for construction of the libraries which are functioning for last 100 years or more shall be 2.5 out of which one FSI may be allowed for commercial use subject to following terms and conditions.</p> <ol style="list-style-type: none"> Convenience shops, branch offices of banks and small hotels shall be allowed. However wine shops, bars, pan / bici / cigarette stalls / lottery stalls and the like which are detrimental to public interest and the dangerous godowns such as gas

	godowns shall not be permissible. 2) The income through this commercial user shall be used for the library only. 3) Planning Authority shall ensure that sufficient space shall be provided for vehicle parking and entry / exit of the public and vehicles. 4) In case the FSI used is less than 2.5, then FSI permissible for commercial user shall be reduced to that extent. 5) Additional FSI permissible shall be subject to other requirements prescribed under these regulations.
12	following new users are permitted in appendix G -1, G-2, G-6 1) In Appendix G-1 at sr no 14 (14) Flour mill in a separate building of ground floor only and having electricity power supply not more than 7.5kw. Adequate care has to be taken in structural design of flour mill and if it does not cause any nuisance in neighborhood. 2) In Appendix G-2 at sr no xxxi(c) xxxi (c) Filling & service stations of petrol, diesel, compressed natural gas and/or any other motor vehicle Fuel approved and allowed to be distributed by the Competent Authority subject to clearance of Controller of Explosives & Chief Fire Officer and observance of such conditions as may be prescribed by them and to the entire satisfaction of the Planning Authority. 3) In Appendix G-6 following users are allowed at sr no 9,10,11,12,13,14 9) L.P Gas Godown would be permissible in no development zone with the following insertion of new condition no (vi) Condition no (vi) -approval should be obtained from Deputy Director of Town Planning, Pune Division, Pune. 10) Swimming tanks/pool and allied construction. Area for the allied construction should not be more than 10% of the total area under swimming tanks/pool. 11) Highway amenities: On plots fronting on National Highway and State Highway Dhaba, petrol pumps, motels etc. will be allowed subject to 10% built up area /FSI. 12) Brick kiln (with buffer of 500 m from adjoining residential zone). 13) Grape processing units subject to 10% built up area /FSI. 14) Slaughterhouse.
13	In APPENDIX -G.4 regarding Service Industries, the rule no G 4.2 is replaced with the following rule. Rule G.4.2. Land under industrial zone adjoining to Residential Zone shall be deemed to be included in Residential Zone after closure/shifting of the existing industry/industries in the land in Industrial Zone (in consultation with Director of Town Planning, Pune.
14	Rule no G.5.1- The footnote below rule no G 5.1 regarding Service Industries ,should be deleted
15	Footnote rule no G.5.2 shall be modified and sanctioned as Rule G-5.2- In some parts of vila city the power looms, sizing units & residential user are on the same plot and in a same

building, such mixed user development is also on a large scale, through unhealthy but difficult to be discontinued. Therefore in revised D.P. these areas are designated as residential cum Industrial zone (Power loom & sizing) and hence both these users residential, power loom & sizing may be permitted under some special conditions as mentioned in Byc-laws.

APPENDIX -G 8 regarding commercial uses allowed in the lands of Government / Semi Government / Public Institution which are included in Public /Semi Public Zone shall be replaced as follows and renumbered as **G 8.1 and G 8.2**

G-8.1 Uses permissible in Public/Semi Public zone :-

- 1) Primary School, High School, all sorts of educational college, Technical School/College, Educational Complex, Hostel for Students, essential staff quarters.
- 2) Hospital, Dispensary, Maternity Homes, Health Center, Complex of such uses, Dharmshala for the visitors to patients, essential staff quarters, veterinary hospital, auditorium, exhibition hall & gallery.
- 3) Training Institutions, home for aged, essential staff quarters.
- 4) Government/Semi Government/Local self Government Offices, Court buildings, essential staff quarters.
- 5) Post Office, Telegraph office, Telephone exchange, Radio Stations, Complexes of such uses, essential staff quarters & similar public/semi public uses.
- 6) Library, Mangal Karyalaya, Gymnasium, Gymkhana, water tanks, stadium, community hall, religious building e.g. Temple, Masque, Church etc.

G-8.2 Commercial development on the plots in Public/Semi-public zone :

Commercial use shall be permissible in Public/Semi Public Zone as given in the table below :-

Area of Plot	Permissible Commercial use in percentage
Upto 1000 sqm.	7.5%
1001 to 2500 sqm.	10%
2501 to 4000 sqm.	12%
4001 & above	15%

Commercial use shall be allowed on following conditions -

- i. Convenient shopping, branch of bank, small hotels etc. shall be permitted but shops /hotels for wine, pan, cigarette, tobacco, lottery tickets and such others users which do not serve public purpose similarly domestic gas shops / godowns which are dangerous to public health shall not be permitted.
- ii. The income from such commercial uses shall be utilized for main users for which the development has taken place or would taken place or would take place.

	<p>iii. Such commercial development shall take place in such a way that it shall not affect the view of the main development on the land, similarly such a commercial user shall be permitted up to 50% length of the plot.</p> <p>iv. The Planning Authority shall ascertain that for parking places and for traffic, sufficient area is kept in the plot.</p> <p>v. Additional FSI shall be allowed only on the plot area remained after deducting the plot area utilized for commercial user.</p> <p>vi. The Planning Authority shall not allow sub division of Survey No., Gut No., Plot No. on which such a development which may cause / had take place / would take place.</p> <p>vii. In such layouts or sub-division having area more than 2 Ha but less than 5Ha., 20% land shall be provided for public utilities and amenities like electric sub-station, bus station, sub post office, police out post, garden, playground, school, dispensary and such other amenities</p> <p>viii. The commercial user shall be permitted up to a depth of 12m.</p> <p>ix. The land owner / developer / Institution shall give guarantee is writing to the Planning Authority (i.e. Council) for following all the stipulated conditions scrupulously</p> <p>x. The plots in which there is an existing development, such commercial use shall be restricted to maximum 20% of the balance potential.</p>
17	<p>Appendix N - Land uses and manner of development</p> <p>1) The appendix N regarding the land uses and manner of development shall be replaced with the appendix attached with Govt circular no TPS-1094/CR-14/94/UD-9, Dated-07.04.1994 and modified time to time.</p> <p>2) The uses and mix uses other than above mentioned in appendix (N) shall be allowed with the previous approval of the Director of Town planning M.S. Pune</p>
18	<p>In Appendix R-Model building byelaws to provide facilities for physically handicapped persons, following paragraph shall be added</p> <p>4.0 SITE DEVELOPMENT</p> <p>Level of the roads, access paths and parking areas shall be described in the plan along with specification of the materials.</p> <p>4.1 Access Path/Walk Way :- Access path from plot entry and surface parking to Building entrance shall be minimum of 1800 mm wide having even surface without any steps. Slope, if any, shall not have gradient greater than 5%. Selection of floor material shall be made suitably to attract or to guide visually impaired persons (limited to colored floor material whose colour and brightness is conspicuously different from that of the surrounding floor material or the material that emit different sound to guide visually impaired persons hereinafter referred to as "guiding floor material" (Annexure-I). Finishes shall have a non-slip surface with a texture traversable by a wheel chair. Curbs wherever provided should blend to a common level.</p> <p>4.2 Parking:- For parking of vehicles at handicapped people the following provisions shall be made.</p> <p>After para no 5.3.4 following annexure shall be inserted</p>

ANNEXURE EXPLANATORY NOTES

GUIDING/WARNING FLOOR MATERIAL

The floor material to guide or to warn the visually impaired persons with a change of colour or material with conspicuously different texture and easily distinguishable from the rest of the surrounding floor materials is called guiding or warning floor material. The material with different texture gives audible signals with sensory warning when a person moves on this surface with walking stick. The guiding/warning floor material is meant to give the directional effect or warn a person at critical places. This floor material shall be provided in the following areas:

- a) The access path to the building and to the parking area.
- b) The landing lobby towards the information board, reception, lifts, staircases and toilets.
- c) Immediately at the beginning/end of walkway where there is a vehicular traffic.
- d) At the location abruptly changing in level or beginning/end of a ramp.
- e) Immediately in front of an entrance/exit and the landing.

PROPER SIGNAGE

Appropriate identification of specific facilities within a building for the handicapped persons should be done with proper signals. Visually impaired persons make use of other senses such as hearing and touch to compensate for the lack of vision, whereas visual signals benefit those with hearing disabilities.

Signs should be designed and located so that they are easily legible by using suitable letter size (not less than 20 mm high). For visually impaired persons, information board in braille should be installed on the wall at a suitable height and it should be possible to approach them closely. To ensure safe walking there should not be any protruding sign which creates obstruction in walking. Public Address System may also be provided in busy public areas.

The symbols/information's should be in contrasting colour and properly illuminated because people with limited vision may be able to differentiate amongst primary colours. International symbol mark for wheel chair as shown below be installed at a lift, toilet, staircase, parking areas, etc., that have been provided for the handicapped.

19 Special provisions -Following special provisions to be added after the existing rule no 29

Rule no 30-Terms & conditions for kindergarten, club house etc. permissible as per byelaws in the open space of sanctioned layout.

20 Where open space is not handed over to Municipal Council.

21 Ownership of the construction shall be transferred to all the plot owners of the sanctioned layout. for whom open space is

	<p>provided as an amenity by a registered sale deed.</p> <p>2) Proposal for such construction shall be received from the owners of the plots / co-operative housing society of the owners/federation of societies of plot owners and such proposal should not be a commercial project, but it should be beneficial to all the plot owners of the sanctioned layout.</p> <p>3) Such construction should be used for recreation & other concerned public purposes. The security deposit as decided by the Municipal Chief Officer shall be deposited with the Municipal Council.</p> <p>4) Open space shall be kept permanently open to sky & shall made available to the plot owner of the sanctioned layout for play ground or recreation purpose.</p> <p>5) Municipal Chief Officer may impose terms & conditions as if he thinks fit.</p> <p>6) If co-operative housing society / federation of societies of the land owners / plot holders have not been constituted, then all the plot holders shall submit a registered undertaking about the aforesaid construction to the Chief Officer.</p> <p>B) If 10% open space is transferred to Municipal Council, then it will be given to plot holder's co-operative housing society/federation of societies of plot owners on lease on above terms & conditions or the Municipal Council may develop it</p>
20	<p>Rule no-31-Commercial use of lands in the possession of the Maharashtra State Road Transport Corporation</p> <p>Notwithstanding anything to the contrary contains in this regulations or the Development Plan/Planning Proposals, land in the possession of Maharashtra State Road Transport Corporation shall be allowed to be developed for commercial use to the extent of 50% of the admissible floor space index subject to the general restrictions otherwise applicable to such development and also in accordance with the Government of Maharashtra, Home Department. Resolution No.STC 3400/CR-148/TRA- 1, dated 1st February, 2001 as may modified from time to time.</p>
21	<p>Rule no 32- Regarding permitting construction of buildings in proximity to Railway track</p> <p>No construction shall be allowed within a distance of 30 meter from the railway boundary without obtaining written permission of the concerned Railway Authority.</p>
22	<p>Rule no-33 - Integrated housing and slum development program (IHSDP):</p> <p>1) Integrated housing and slum development programme shall be executed by Municipal Council itself. For Integrated housing and slum development programme appointment of developer should not be made.</p> <p>2) 2.5 FSI is allowed on the total area of the plot used for integrated housing and slum development programme</p> <p>3) All the Development Plan proposals within integrated housing and slum development programme area should be developed while executing above integrated housing and slum development programme</p>
23	<p>Rule No-34 - Additional FSI to Religious Buildings:</p> <p>The chief officer may permit the floor space indices to be exceeded in respect of buildings of religious purpose of registered Public Trust in independent plots by 0.50 FSI subject to following terms & conditions.</p>

	<p>i) The religious building shall be on independent plot.</p> <p>ii) No objection certificate shall be obtained from concerned Police Authority and Collector, Sangli before applying for permission.</p> <p>iii) Additional FSI shall be used for religious purpose only. Ancillary residential user may be permissible within 10% of total area. No commercial user shall be permissible.</p> <p>iv) The additional FSI shall be permissible to existing authorized religious user subject to structural stability.</p> <p>v) No condonation in the required marginal open spaces and parking shall be allowed in or grant of such additional FSI.</p> <p>vi) The additional FSI shall be permissible subject to payment of premium of 25% of ready reckoner value of respective year. Out of which 50% shall be paid to Government and 50% shall be paid to the Planning Authority (i.e. Corporation).</p> <p>vii) The minimum area of plot shall be 500 sqm.</p> <p>viii) The proposal shall be consistent with the Development Plan Proposals.</p>
24	<p>Rule no -35 Special regulations for development of special townships in area under municipal council</p> <p>Special shall be permitted in the municipal council area as per the directives given by the Government vide their notification no. TPS-1806/2348/CR-476/UD-13, dated-03.07.2007 and subsequent modification issued by Government time to time</p>
25	<p>Rule no -36 regulations for sub-division of the land</p> <p>1) For the sub-division of the land admeasuring 2000 sq.mt. and more, following provision shall be compulsorily provided-</p> <p>a) 10% area in the form of 30 to 50 sq.mt. plots for EWS/LIG.</p> <p>b) 10% area in the form of 50 to 100 sq.mt. plots.</p> <p>2) For the layout of the land, admeasuring 4000 sq.mt. and more, following provision shall be compulsorily provided-</p> <p>a) 10% tenements shall be provided for each EWS/LIG Group (30 to 40 sq.mt.) and MIG Group (41 to 60 sq.mt.)</p>

Sunil Marale
(Sunil Marale)

Under Secretary to Government of Maharashtra.